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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,380	03/14/2001	Nobuyuki Katada	14389	3316
23389	7590	01/16/2004	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA GARDEN CITY, NY 11530			BEHULU, ALEMAYEHU	
			ART UNIT	PAPER NUMBER
			2682	

DATE MAILED: 01/16/2004
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/808,380	KATADA, NOBUYUKI
	Examiner Alemayehu Behulu	Art Unit 2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1,2,4,5,7 and 8 is/are rejected.
- 7) Claim(s) 3,6 and 9 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3-4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Blanchard (U.S. Patent No. 6, 408, 191).

Regarding to claims 1 and 4, Blanchard discloses a retrieval telephone number displaying method or system for a portable telephone set (figure 2, number 200) for retrieving telephone numbers and other data registered in the portable telephone set (figure 4, number 401) and displaying the retrieved data in a display of the portable telephone set (figure 2, number 210), wherein data retrieved in a predetermined sequence is displayed together with total number of cases of the retrieved data and the predetermined sequence (figure 4, numbers 401-404).

Regarding to claim 7, a portable telephone set (figure 2, number 200) comprising a CPU (figure 1, number 113), a memory (figure 1, number 112) for storing such data as telephone numbers and names, a display (figure 2, number 210) for storing the stored data, wherein the CPU retrieves the data stored in the memory in a predetermined sequence (figure 3, number 331), and displays the data retrieved in the predetermined sequence on the display of the portable telephone

set together with the total number of cases of the retrieved data and the predetermined sequence (figure 4, numbers 401-404).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2 , 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchard (U.S. Patent No. 6, 408, 191) further in view of Cushman (U.S. Patent No. 6, 125, 287).

Regarding to claims 2 ,5 and 8, Blanchard discloses the retrieved telephone number displaying method or system for a portable telephone set according to claim 1, 4 and 7 respectively, wherein the data retrieved in the predetermined sequence (figure 3, number 331) is displayed together with the total number of cases of the retrieved data (figure 4, numbers 401-404). However, Blanchard fails to disclose rearranging in a sequence of greater number of times of utilization and displaying in the sequence of greater number of times of utilization in the rearranged sequence. But, Cushman discloses rearranging in a sequence of greater number of times of utilization (column 3, lines 56-63 figures 5a and 6f) and displaying (figure 2g-2k) in the sequence of greater number of times of utilization (figure 2a) in the rearranged sequence (figures 5a and 6f and column 10, lines 63-column 11, lines 25). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine

Blanchard (U.S. Patent No. 6, 408, 191) with Cushman (U.S. Patent No. 6, 125, 287) in order to save time.

Allowable Subject Matter

3. Claims 3, 6, and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding to claims 3, 6, and 9, the applied references fail to disclose, or render obvious the claimed limitations that data retrieved by Japanese 50-kana sequence retrieval method and a kana affixing method, as specified in the claim

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alemayehu Behulu whose telephone number is 703-305-4828. The examiner can normally be reached on 8 AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-746-3501.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

nguyen VO
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AB

NGUYEN T. VO
PRIMARY EXAMINER